

SENATE BILL 117
By Williams

AN ACT to amend Tennessee Code Annotated, Title 54,
Chapter 5, Part 1, relative to state highway
projects.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 5, Part 1, is
amended by adding the following language as a new, appropriately designated section:

Section 54-5-145.

(a) For all five-lane, state highway projects bid and awarded a contract
under this part, and for which the department executed a contract for
performance in the amount of twelve million, five hundred thousand dollars
(\$12,500,000) or more, for work affecting five (5) miles or more, the department
shall have the continuing authority to inspect such project for any defective
workmanship.

(b) If the inspection report of such a project establishes evidence of
defective workmanship which is not subsequently remedied by the contractor, the
department may require the contractor to pay damages in the amount necessary
to correct any deficiency attributable to the contractor occurring on such project
for a period of five (5) years after the inspection, approval, and acceptance of the
commissioner.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.